

HOUSE BILL No. 1747

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-12.

Synopsis: Sex offender entry into certain public areas. Makes the entry into or on school property, a youth program center, a public park, or a family housing complex by certain sex offenders a Class C felony. Provides a defense for limited entry on election day for the purpose of voting.

Effective: July 1, 2007.

Turner, Welch

January 26, 2007, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1747

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-12 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 12. (a) As used in this section, "serious sex offender"**
4 **means a person required to register as a sex offender under**
5 **IC 11-8-8 who has been:**

6 (1) **found to be a sexually violent predator under**
7 **IC 35-38-1-7.5; or**

8 (2) **convicted of one (1) or more of the following offenses:**

9 (A) **Child molesting (IC 35-42-4-3).**

10 (B) **Child exploitation (IC 35-42-4-4(b)).**

11 (C) **Child solicitation (IC 35-42-4-6).**

12 (D) **Child seduction (IC 35-42-4-7).**

13 (E) **Possession of child pornography (IC 35-42-4-4(c)).**

14 (F) **Vicarious sexual gratification (IC 35-42-4-5(a) and**
15 **IC 35-42-4-5(b)).**

16 (G) **Performing sexual conduct in the presence of a minor**
17 **(IC 35-42-4-5(c)).**



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(H) Sexual misconduct with a minor (IC 35-42-4-9).

(I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).

(J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).

(b) A serious sex offender who knowingly or intentionally enters:

(1) school property;

(2) a youth program center;

(3) a public park; or

(4) a family housing complex;

commits unlawful entry by a serious sex offender, a Class C felony.

(c) It is a defense to a prosecution under this section that the serious sex offender:

(1) entered property described in subsection (b) on election day for the purpose of voting; and

(2) spent no more time on the property than was necessary for the serious sex offender to vote.

SECTION 2. [EFFECTIVE JULY 1, 2007] IC 35-42-4-12, as added by this act, applies only to crimes committed after June 30, 2007.

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